



4310-05-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

Notice of Proposed Information Collection

AGENCY: Office of Surface Mining Reclamation and Enforcement.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing that the information collection request for bonding and insurance requirements for surface coal mining and reclamation operations under regulatory programs has been submitted to the Office of Management and Budget (OMB) for review and approval. The information collection request describes the nature of the information collection and the expected burden and cost.

DATES: OMB has up to 60 days to approve or disapprove the information collections but may respond after 30 days. Therefore, public comments should be submitted to OMB by [insert date 30 days from date of publication in the Federal Register], in order to be assured of consideration.

ADDRESSES: Submit comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Department of the Interior Desk Officer, by telefax at (202) 395-5806 or via e-mail to [OIRA\\_Docket@omb.eop.gov](mailto:OIRA_Docket@omb.eop.gov). Also, please send a copy of your comments to John Trelease, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Room 203 - SIB, Washington, DC 20240, by telefax to (202) 219-3276, or by e-mail to [jtrelease@osmre.gov](mailto:jtrelease@osmre.gov).

FOR FURTHER INFORMATION CONTACT: To receive a copy of the information collection request contact John Trelease at (202) 208-2783, or electronically at [jtrelease@osmre.gov](mailto:jtrelease@osmre.gov). You may also review this information collection request on the Internet by going to <http://www.reginfo.gov> (Information Collection Review, Currently Under Review, Agency is Department of the Interior, DOI-OSMRE).

SUPPLEMENTARY INFORMATION: OMB regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities [see 5 CFR 1320.8(d)]. OSM has submitted a request to OMB to renew its approval for the collection of information contained in 30 CFR Part 800 - Bonding and insurance

requirements for surface coal mining and reclamation operations under regulatory programs. OSM is requesting a 3-year term of approval for each information collection activity.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for this collection of information is 1029-0043 for 30 CFR 800.

As required under 5 CFR 1320.8(d), a Federal Register notice soliciting comments for this collection of information was published on March 2, 2012, (77 FR 12879). We received one comment for this information collection request. The commenter expressed concern that bond amounts are not adequate to cover the cost of reclamation if the operator should forfeit their bond, requiring taxpayers to fund reclamation. However, section 509 of SMCRA and 30 CFR Part 800 require that bonds be in an amount adequate to complete the reclamation plan in the event of bond forfeiture. This notice provides the public with an additional 30 days in which to comment on the following information collection activity:

Title: 30 CFR Part 800 - Bond and insurance requirements for surface coal mining and reclamation operations under regulatory programs.

OMB Control Number: 1029-0043.

Summary: The regulations at 30 CFR Part 800 primarily implement §509 of the Surface Mining Control and Reclamation Act of 1977, which requires that persons planning to conduct surface coal mining operations first post a performance bond to guarantee fulfillment of all reclamation obligations under the approved permit. The regulations also establish bond release requirements and procedures consistent with §519 of the Act, liability insurance requirements pursuant to §507(f) of the Act, and procedures for bond forfeiture should the permittee default on reclamation obligations.

Bureau Form Number: None.

Frequency of Collection: Once.

Description of Respondents: Surface coal mining and reclamation applicants and State regulatory authorities.

Total Annual Responses: 12,336.

Total Annual Burden Hours: 112,627 hours.

Total Annual Cost Burden: \$1,510,214.

Send comments on the need for the collection of information for the performance of the functions of the agency; the accuracy of the agency's burden estimates; ways to enhance the quality, utility and clarity of the information collection; and ways to minimize the information collection burdens on respondents, such as use of automated means of collections of the information, to the addresses listed in "ADDRESSES". Please refer to the appropriate OMB control number in all correspondence.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Andrew F. DeVito, Chief  
Division of Regulatory Support

May 8, 2012  
Dated

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